

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

PALMETTO EKG & ECHO  
READERS, PROFESSIONAL  
ASSOCIATION, a Florida Corporation  
(o/b/o Member # U0536350801),

Case No.: 1:22-cv-23355-KMM

Plaintiff,

vs.

CIGNA HEALTHCARE OF  
FLORIDA,  
INC., a Florida corporation,  
Defendant,

/

**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO COMPLAINT**

Defendant, CIGNA HEALTHCARE OF FLORIDA, INC. (“CHOF” or Defendant), by and through the undersigned counsel, and pursuant to Rule 6(b), Fed.R.Civ.P. hereby files this Unopposed Motion for Enlargement of Time to Respond to Plaintiff’s Complaint to November 4, 2022, and in support thereof states:

1. Defendant timely removed this case to the United States District Court for the Middle District of Florida on October 14, 2022.
2. Defendant’s response to the Complaint is due today, October 21, 2022.
3. This is one of multiple complaints recently served on Defendant by counsel for Plaintiff.

4. Counsel for both parties have recently discussed exploration of informal resolution.

5. Accordingly, undersigned counsel seeks an extension of fourteen days' time to respond to the Complaint, up to and including November 4, 2022.

6. Defendant files this motion in good faith. Defendant does not by this motion intend to delay or hinder these proceedings and no prejudice will result to Plaintiff by the granting of this motion, as evidenced by Plaintiff's non-objection to this Motion.

### **MEMORANDUM OF LAW**

Rule 6(b)(1)(A), Fed.R.Civ.P. provides in relevant part:

(b) Extending Time.

(1) In General. When an act may or must be done within a specified time, the court may, for good cause, extend the time:

...

(A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires[.]

District courts have broad discretion under 6(b) to expand filing deadlines. *See Busch v. County of Volusia*, 189 F.R.D. 687 (M.D. Fla. 1999). In the instant case, good cause exists to give the parties the opportunity to further discuss informal resolution without expenditure of the parties' or the Court's time or resources.

### **CERTIFICATE OF GOOD FAITH CONFERENCE**

Pursuant to Local Rule 3.01(g), the undersigned hereby certifies that counsel for the movant has conferred with counsel for the plaintiff on October 18, 2022 regarding the relief sought in this motion, and can represent that Plaintiff does not oppose the relief requested herein.

### **CONCLUSION**

For the reasons set forth herein, Defendant respectfully requests that an order be entered granting an extension of time until and including November 4, 2022 to Respond to Plaintiff's Complaint.

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2022, a true and correct copy of the foregoing was filed via the ECF system which will make service on counsel for Plaintiff:

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*Attorneys for Plaintiff*

Respectfully submitted,

/s/ Ruel W. Smith

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